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REMARKS

Claims 1-25, 36-40 and 43 are currently pending in the subject application and are presently under consideration. A version of the claims is at pages 2-9. Claims 26-35, 41 and 42 are withdrawn and claims 23, 38 and 43 are cancelled. Independent claims 1, 21 and 36 have been amended herein to further emphasize novel features of the subject invention. In addition, claim 43 has been cancelled herein. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to Claim 43

Claim 43 stands rejected under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 43 has been cancelled without prejudice or disclaimer in order to expedite allowance of the subject patent application. Accordingly, this objection should be withdrawn.

II. Rejection of Claims 1-5, 7-16, 18-25, 36-40 and 43 Under 35 U.S.C. §103(a)

Claims 1-5, 7-16, 18-25, 36-40 and 43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Domenikos *et al.* (US 6,065,043) in view of Facemire *et al.* (US 2005/0091340 A1). Withdrawal of this rejection is respectfully requested for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art and not based on the applicant's disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (emphasis added).

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The claimed invention relates to facilitating persistent caching across network connectivity interruptions. In particular, amended independent claim 1 recites a remote file system, comprising one or more surrogate providers comprising at least a first surrogate provider that is a client side caching (CSC) component that selectively caches at least a subset of data from at least one online server and supports connection state transitions at the directory level on a logical namespace; and one or more client computers that receive and store the subset of data to their respective local databases for offline use by the respective client computers *to facilitate a seamless operation of data retrieval across connectivity states for a user, the offline use is limited to shares of the logical namespace that are involved in a period of disconnect*. Amended independent claims 21 and 36 recite similar limitations. Domenikos *et al.* and Facemire *et al.* fail to disclose such novel features of the subject claims.

Domenikos *et al.* allows a client computer to connect to a server of an internet site for executing an application program that is stored on a memory device. Domenikos *et al.* further teaches a cache store that caches data from a remote file system. However, as conceded by the Examiner, Domenikos *et al.* does not teach or suggest offline use of the cached data to facilitate seamless operation of data retrieval across connectivity states of a user. Consequently, Domenikos *et al.* is further silent with regard to limiting the offline use to those *shares of the logical namespace that are involved in a period of disconnect*, as recited in amended independent claims 1, 21 and 36.

The Examiner attempts to compensate for the deficiencies of Domenikos *et al.* with Facemire *et al.* Facemire *et al.* allows for storing content from a server in a client computer side cache. The reference subsequently generates a pathway navigation map (PNM) that maps the content in the client side cache. Upon an interruption in connectivity, the system of Facemire *et al.* accesses data from the data stored in the client side cache. However, Facemire *et al.* fails to contemplate limiting the offline use to those *shares of the logical namespace that are involved in a period of disconnect*, as in the claimed invention. As an example to further illustrate this distinction, a logical namespace can include multiple shares. If only one of the shares is experiencing a period of disconnect, the claimed invention allows the data from the disconnected share to be accessed from the offline data store while the remaining shares present in the logical namespace remain online and continue access with a remote server. To the contrary, upon

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experiencing a period of disconnect from the server, the system taught by Facemire *et al.* will access all data from the data stored on the client side cache regardless of how many portions of the logical namespace are offline. Consequently, Facemire *et al.* is silent with respect to limiting the offline use to those *shares of the logical namespace that are involved in a period of disconnect*, as afforded by amended independent claims 1, 21 and 36.

In view of at least the foregoing, it is readily apparent that Domenikos *et al.* and Facemire *et al.* fail to disclose or suggest all features of the subject claims. Accordingly, applicants' representative respectfully requests that this rejection with respect to independent claims 1, 21 and 36 (and the claims that depend there from) be withdrawn.

III. Rejection of Claims 6 and 17 Under 35 U.S.C. §103(a)

Claims 6 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Domenikos *et al.* in view of Facemire *et al.* and further in view of Shaw *et al.* (US 2002/0083148). This rejection should be withdrawn for at least the following reasons.

The subject claims depend from independent claim 1. As previously discussed, Domenikos *et al.* and Facemire *et al.* fails to teach or suggest all the limitations of claim 1. Shaw *et al.* fails to make up for the aforementioned deficiencies. Shaw *et al.* relates to a system that accesses and acquires data from a content provider that relates to personal profile information of an end user (e.g. client computer). This data is stored at a cache located near the client computer. The system allows the user of the client computer in an online gaming environment to access their user profile from the nearby cache instead of from the content provider itself, thus allowing online gaming content to be provided to the user in a rapid manner. However, Shaw *et al.* makes no mention of a surrogate provider that stores data at one or more client computers as in applicants' claimed invention, let alone limiting offline access to those *shares of the logical namespace that are involved in a period of disconnect*, as afforded by independent claim 1. Therefore, this rejection should be withdrawn.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP527US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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